

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

HALDEMAN-HOMME INC.,)	
)	
Plaintiff,)	
)	
vs.)	
)	8:07CV65
EDWARD DONAHOE,)	
)	
Defendant,)	ORDER
)	
MIDWEST FLOOR COVERING, INC.,)	
)	
Interested Party.)	

Plaintiff filed this proceeding to compel compliance with a third-party subpoena duces tecum served on Midwest Floor Covering, Inc. ("Midwest") in conjunction with a case pending in the District of Minnesota. Midwest was subsequently added as a defendant in the Minnesota case. Upon the representation by plaintiff's counsel that Midwest, through its new Minnesota counsel, has provided plaintiff with the discovery responses that are the subject of this proceeding,

IT IS ORDERED:

1. Plaintiff's Motion [15] to Withdraw its pending Motion to Compel is granted.
2. Plaintiff's Motion to Compel [1] is deemed withdrawn.
3. The Clerk shall close this case for statistical purposes.

DATED April 4, 2007.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**